

# Official Minutes for Webb County Commissioners Court Special Meeting

Thursday September 9, 2004 at 1:00 PM

(Approved 09-27-2004)

- Item No. 1      Call to order by Judge Louis H. Bruni  
Let it be remembered that a special meeting of the Webb County Commissioners Court was held at 1:00 p.m. at the regular meeting place with the following members present to wit:

Louis H. Bruni	County Judge
Jerry Vasquez	Commissioner, Pct. 1
Judith Gutierrez	Commissioner, Pct. 2
Felix Velasquez	Commissioner, Pct. 3
David Cortez	Commissioner, Pct. 4

Thus constituting a quorum, the Commissioners Court proceeded to act upon the Agenda as posted in the meeting notice of the 3<sup>rd</sup> of September 2004. Present also were Ms. Nora Elia Prado, Deputy County Clerk representing Mrs. Margie Ramirez Ibarra, Ex-officio Clerk of the Commissioners Court, various officers and others interested in the business of the Court.

- Item No. 2      Roll Call – Margie Ramirez Ibarra, Webb County Clerk

Judge Bruni advised the Court and public that Mr. Raul Casso, Chief of Staff, would not be present due to a family emergency. A silent moment of prayer was observed.

- Item No. 3      Pledge of Allegiance – Led by All

- Item No. 4      Commissioners Court Budget Workshop with discussion and possible action on the FY 2004-2005 proposed budget and any matters incident thereto.

Judge Bruni stated to the court and public that he had presented a balanced budget to the court and is asking that the court do what is best for the citizens of Webb County.

Mr. Carlos Villarreal, Court Executive Administrator, submitted a memo to the Court with the following recommendations, which if approved would balance the budget:

Revenues Added:

1. General Sales Tax \$350,000  
(Sales tax collections for FY 2003-2004 will be approximately \$9,600,000.

With a conservative estimated increase of 3% for FY 2004-2005, the added \$350,000 can be accomplished. The County Judge's FY 2004-2005 proposed budget estimates sales tax at \$9,500,000.)

2. Delinquent Ad Valorem	\$100,000
(Delinquent tax collections from October thru August are 40% higher than for the same period in FY 2002-2003. Increasing the FY 2002-2003 by 40% will yield more than \$2,100,000. The County Judge's proposed budget indicates a \$2,000,000 revenue projection)	
3. Interest earned	\$31,302
4. Add 40 federal prisoners from January through September (Up from 125 to 160 prisoners)'	\$540,000
5. Current Ad Valorem	\$85,000
Subtotal	\$1,106,302

#### Expenditures Deleted

1. Eliminated Mental Health Unit	\$321,500
(Positions (3 Sheriff and 1 County Judge) are returned to departments)	
2. Third Party Funding	\$52,000
(Reduction of 10 %.)	
3. Reduce 2% Operation Line items	\$260,000
4. Reduce retirement fund expenditures	\$100,000
(Fringe benefits for retirement are calculated at 7.49%. Effective January 2005, the County's share will decrease to 7.07%. Pro-rating averages to 7.18% yearly thereby yielding a savings of .31% or approximately \$100,000)	
Subtotal	\$733,500

Mr. Villarreal stated that the proposed changes include the 5% raise proposed by the County Judge. He also advised the court that there is a deficit of approximately \$800 thousand to \$1 million, which if not taken care of would result in a deficit of \$1.8 million at the end of the next budget year. He stated that the deficit could be covered by the Workmen's Compensation Fund. Mr. Homero Ramirez, County Attorney, advised the court that this is not the end of the process and final decisions must be made at a regular meeting of the Court after the Public Hearing. He stated that there was not Public Comments item on the agenda, but it was at the discretion of the court to allow those present to speak. He stated that any action taken today is subject to change and must be finalized at the time the budget is approved. Cmr. Velasquez stated that at past budget workshops, the court received information from court members and the public and that it was prudent to listen to the department heads and public.

#### Mr. Rick Flores, Webb County Sheriff-elect

Mr. Flores stated that he concurred with Mr. Carlos Villarreal and felt comfortable with the numbers he presented to the Court. He requested that the slots in his department be kept intact until he has had an opportunity to assess the department. He stated that he has discussed the issue of citations which have not been collected which could result in approximately \$200,000 in additional revenues. He stated that he is looking forward to cooperating with the Court regarding the estimated budget shortfalls.

Comr. Velasquez commended Mr. Flores for his cooperation and requested that the record show that Mr. Flores was comfortable with the projected revenues. Comr. Gutierrez stated that balancing a budget was a daunting task and thanked Mr. Flores for his support. Comr. Cortez requested that any savings be allocated for new uniforms.

Judge Oscar Martinez, Justice of the Peace Pct. 4

Judge Alfredo Garcia, Justice of the Peace Pct. 3

Judge Martinez stated that his staff was not included in the prior equalization of salaries with the other JP's staff that was approved by the Court. He stated that his office is a large source of revenue for the county and feels that his staff should be rewarded for the good work they do.

Judge Garcia stated that he has a great staff and would like for his office manager (10 year employee) to be raised to \$16.00 and his secretary (3 year employee) to be raised to \$12.00. He stated that he would be willing to work with the court on this matter and hoped that the revenues for his office would continue to increase.

Comr. Gutierrez stated that it was important to listen to requests made by Department Heads. She stated that she has always supported the implementation of a pay scale for employees so that there can be some parity among employee wages. She stated that she would like to see a wage classification system put in place

Judge Manuel Flores, 49<sup>th</sup> District Court

Judge Flores stated that he had no problems with the proposed budget but would like to address several issues. He stated that more than 1,200 delinquent tax cases have been filed and requested that an additional slot be included in either the Tax Liaison Department or the District Clerk's Office for the purpose of handling these tax cases. He stated that the Drug Court was being moved to the Tex Mex Building. He stated that this program currently disposes of thousands of cases and feels that the program pays for itself. He stated that the Pre-Trial Services was created two years ago after the passing of Senate Bill 7. He stated that the PR (Personal Recognizance) Bond Department was transferred under the umbrella of the Pre-Trial Services. He stated that the department was an important part of the criminal justice system in handling indigent offenders. He stated that if the Drug Court was done away with, the court risked losing revenues that are collected via fines

Ms. Vicky Cantu, Private Citizen

Ms. Cantu stated that the Pre-Trial Services department was not adhering to its rules and regulations and was mandated by the state only for federal cases. She stated that she had met with Judge Garza regarding her concerns but feels that nothing has been done. She stated that Bail Bond companies continue to stay on top of "stale" bonds, something that the Pre-Trial Services does not do. She stated her concerns about who would pay the fines for defendants that do not show up for court that were bailed out by the Pre-Trial services. She stated that if a defendant bailed out

by a Bail Bond Company fails to show up for court, the judge can charge the company 100% of the bail set for the defendant.

Judge Bruni stated that he would meet with Judge Garza and address Ms. Cantu's concerns.

#### **Mr. Joe Rubio, District Attorney**

Mr. Rubio stated that he had not requested any additional funding for the Domestic Violence Unit but was advised on September 1<sup>st</sup> that two counselor positions currently funded by the Criminal Justice Department (CJD) would not be funded for the upcoming year. He requested an additional \$71,000 (CJD's share) to fund the salaries and fringe benefits of those two employees. He stated that he would not be requesting any additional funding for travel and requested only the funds needed to keep those positions. He stated that due to the high number of victims who visit these counselors, the shelters would be unable to take the overflow if those positions are not funded.

Comr. Gutierrez congratulated Mr. Rubio for a job well done and stated that they would work on finding the monies to continue funding those two positions.

#### **Judge Jesus Garza, County Court at Law No. 2**

Judge Garza stated that the Pre-Trial Services was created two years ago in concurrence with Senate Bill 7 with the main purpose being the magistration of inmates as well as the appointment of counsel. He stated that PR Bonds are not required by the federal mandate. He stated that the program was under the supervision of the Board of Judges which currently does not have a majority regarding the continuation of Pre-Trial Services. He stated that it would be possible to transfer 3-4 slots to his department to deal with the magistration of inmates and appointment of counsel and have them only issue PR Bonds when requested by the Judge. He stated that another option would be to separate the PR Bond from the Pre-Trial Services. He stated that the county must continue to magistrate and appoint attorneys as required by law.

Comr. Gutierrez stated that the PR Bonds are nothing new and have only become an issue due to personal problems

#### **Ms. Patricia Barrera, County Tax Assessor Collector**

Ms. Barrera stated that her department collects not only the taxes for the county but the Road & Bridge Fee among others. She stated that she would like to bring parity among her employees and that it would take less than \$80,000 to do that. She stated that her staff is the face of the county due to the number of citizens who visit the office on a daily basis. She stated that these monies would come from the Road & Bridge Fund and would have no impact on the General Fund. She stated that she always budgets conservatively and is certain that her projected revenues will be surpassed as they have in previous years.

Cmr. Velasquez stated that her office is expected to collect an additional \$2 million over last year's revenues.

**Mr. Raul Elizondo, Building Maintenance & Facilities Departments**

Mr. Elizondo came before the court to request additional slots due to the continues growth of the county as well as the additional structures that need to be maintained (Administration Building, New J.P. Building, Tex Mex Building, Bruni Community Center, Rio Bravo, El Cenizo & Larga Vista expansions, etc). He requested an additional HVAC person and one custodian for the J.P. Building and Tex Mex Building as well as one groundskeeper for the Bruni and Penitas Community Centers and park expansions. He also stated that the line items for repairs and maintenance for this budget are lower than what was budgeted for FY 1999 and that he has always come in under budget even though the cost of materials and supplies continues to rise as well as the number of buildings being serviced.

Cmr. Gutierrez stated that is was important to recognize those departments that have grown but continue to maintain their budgets as well as find ways to save money. She stated that she would look into what can be done to alleviate some of Mr. Elizondo's concerns.

**Ms. Delia Perales, County Treasurer**

Ms. Perales requested that \$2,500 be transferred from two slots (#0074 and #0087) to her Part-Time line item because she was in need of additional help.

**Ms. Margie Ramirez Ibarra, County Clerk**

Ms. Ibarra requested that the court allot \$18,000 that was not included in the budget for the maintenance and rental for the copiers in her office. She stated that her office brings in almost \$840,000 a year in revenues from copies. She also requested seven (7) computers to replace outdated computers being used by the Court staff. She also requested a scanner so that her office could continue to scan court documents into their system. She also requested that her salary be compatible with that of the District Clerk who earns approximately \$10,000 more.

Cmr. Vasquez requested that Ms. Ibarra bring the issue of her salary up at the budget hearing so that he would be able to include it in the budget.

Mr. Leo Flores, County Auditor, stated that the maintenance and lease for all copiers would be handled by the M.I.S. Department.

**Constable Ruben Reyes, Pct. 2**

Constable Reyes requested an administrative secretary so that someone is in the office since he and his deputies are usually never there. He stated that the secretary would be there to answer the telephone as well as do some filings and work with their computers.

Cmr. Gutierrez stated that this issue needed to be addressed and understood Constable Reyes' need for a secretary.

**Mr. Francisco Gonzalez, Jr., Community Center Director**

Mr. Gonzalez stated that his only concern was the salaries for the Community Center directors since their offices did not generate revenues. He stated that their salaries are currently at \$29,600 and would like for them to be raised to \$39,600.00. He stated that they have a high responsibility to the community. He also requested that his secretary's salary be raised to \$9.00 since she also takes on the duties of custodian and driver in addition to her regular duties.

**Ms. Margie Ramirez Ibarra, County Clerk**

Ms. Ibarra advised the court that the publication for a Public Hearing regarding the Records Management and Records Archive Plans had been published and the date for the Public Hearing set for September 24<sup>th</sup>. She stated that she had some concerns about the plans being approved after the budget since the plans include the addition of two employees to be paid from those funds.

**Constable Annette Munoz, Pct. 3**

Constable Munoz stated that she covers 1800 square miles on her own and multi-tasks by picking up illegal immigrants, serves as a truant officer, domestic violence response, fire response as well as serving as her own secretary. She requested 1 or 2 part time employees to help her patrol the area.

Judge Bruni shared Constable Munoz's concerns and stated that it was dangerous to be alone in those areas. Cmr. Gutierrez stated that Constable Munoz had done a tremendous job as a one-person department and would need to be accommodated with 1 or 2 deputies. Judge Bruni stated that it would be possible to transfer the slots from another department.

**Ms. Margarita Araiza, Webb County Heritage Foundation**

Ms. Araiza was present to request additional funding from the Hotel/Motel Fund. She stated that festivities are being planned to celebrate the 250<sup>th</sup> Celebration of the City of Laredo. She stated that this was an occasion that was worth commemorating.

Cmr. Gutierrez stated that the Heritage Foundation was doing a tremendous job and that this celebration was important to the community. She urged the court to restore their original funding and to possibly include additional funding.

**Mr. Anthony Peterson, Private Citizen**

Mr. Peterson thanked the court for the \$0.02 decrease in the tax rate as well as the monies that were allotted to the LCC boot camp. He felt that the new commissioners would bring a new perspective to the court. He stated that the departments should be able to cut their budgets in order to lower the tax rates.

**Cmr. David R. Cortez, Pct. 4**

Cmr. Cortez's Requests:

1. Reduce County Judge's Operational Allowance from \$475.00 to \$125.00 per pay period
2. Reduce Chief of Staff Operation Allowance from \$233.77 to \$125.00 per pay period.
3. Reduce Part Time line item for County Judge from \$15,000 to \$0
4. Assure new pay rate for election workers for the entire fiscal year and for all elections administered by Webb County.
5. Assign Raul Hinojosa to Department sponsored slot of peace officer utilizing Constituent Relations funds starting January 2005

Cmr. Cortez requested that his requests No. 1 thru No. 3 be withdrawn. He also requested that Item No. 4 be budgeted for accordingly and recommended that the slot shown on Item No. 5 be given to the County Attorney's Office. He also requested that a slot be created for a Human Resource Officer with a minimum of \$100 in funding with additional funding appropriated later in the year.

Cmr. Cortez motioned to delete Item No. 1 thru No. 3, reassure No. 4, approve No. 5 and create a Human Resource Officer slot. Cmr. Gutierrez seconded the motion.

Mr. Homero Ramirez, County Attorney, advised the court that the court cannot specify or identify who is to be hired in a particular slot. He requested that if the slot is approved, that no specific individual be named for that slot.

Cmr. Cortez amended his motion to reflect Mr. Ramirez's recommendation.

Motion carried 4-1 with Cmr. Vasquez voting against.

Cmr. Felix Velasquez, Pct. 3

Cmr. Velasquez's Requests:

1. Eliminate Veterans Service Department
2. Eliminate Pre-Trial Services Department
3. Reduce employee pay raise to 2 1/2%
4. Reduce 3<sup>rd</sup> Party Funding by 50%

Cmr. Velasquez stated that by eliminating the Veterans Service Department, the County would save approximately \$180,713.

Cmr. Velasquez motioned to eliminate the Veterans Service Department. Cmr. Vasquez seconded the motion.

Cmr. Gutierrez requested that if it were possible to reorganize the office and allow at least one person to remain. She requested to possibly transfer one slot to another department since the employee in question is two years away from retirement. Cmr. Vasquez stated that the court has received numerous requests for additional personnel and felt that it would be possible to transfer the slot to another

department that requested it. Cmr. Velasquez concurred with Cmr. Vasquez's comments.

Cmr. Velasquez amended his motion to eliminate the slot and take into consideration possibility of transferring employee and slot to another department.

Mr. Homero Ramirez, County Attorney, stated that there cannot be support staff without officer and recommended that the court move the slot to another department.

Mr. Carlos Villarreal, Court Executive Administrator, stated that of the \$180,713 budgeted for this department, \$50,000 was for veterans assistance and requested clarification as to whether this would be eliminated as well. Cmr. Cortez recommended the possibility of moving the \$50,000 to the Community Action Agency or other office to administer the funds.

Cmr. Vasquez withdrew his second.

Motion died for lack of a second.

Cmr. Vasquez motioned to eliminate the Veterans Service Department with \$50,000 transferred to 3<sup>rd</sup> Party Funding earmarked for the Veterans Coalition. Judge Bruni seconded the motion.

Motion carried 3-2 with Cmr. Velasquez and Cmr. Cortez voting against.

Cmr. Velasquez motioned to defer Item No. 2. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Velasquez stated that by reducing the employee pay raise from 5% to 2½% would result in savings of \$900,810.

Cmr. Velasquez motioned to reduce the employee pay raises from 5% to 2½%. Motion died for lack of a second.

Judge Bruni motioned to approve the employee pay raise at 5%. Cmr. Vasquez seconded the motion.

Motion carried 3-2 with Cmr. Velasquez and Cmr. Cortez voting against.

Judge Bruni motioned to rescind his previous motion and motioned to break down the 5% raise to 2% in October and 3% in six months (April). Cmr. Cortez seconded the motion.

Motion carried 4-1 with Cmr. Velasquez voting against.



Mr. Homero Ramirez, County Attorney, stated that this would only affect employees under the General Fund and not those funded through grant monies.

Cmr. Velasquez motioned to reduce 3<sup>rd</sup> Party Funding by 25%. Cmr. Cortez seconded the motion.

Motion carried 3-2 with Judge Bruni and Cmr. Gutierrez voting against.

Cmr. Velasquez clarified and stated that the Veterans Coalition funding would also be cut by 25%.

Cmr. Cortez motioned to approve \$41,500 for a grant writer position for the Youth Village Project under Judge Garza with monies coming from the General Fund. Cmr. Velasquez seconded the motion.

Motion failed 2-3 with Cmr. Vasquez, Cmr. Gutierrez and Judge Bruni voting against.

Cmr. Cortez motioned to approve \$100 with additional monies from savings for a grant writer position for the Youth Village Project under Judge Garza. Cmr. Velasquez seconded the motion.

Cmr. Cortez withdrew his motion.

Mr. Homero Ramirez, County Attorney, stated that he was unaware of the Juvenile Board's direction regarding a grant writer and stated that it would be possible to move the responsibility to the Juvenile Board.

#### Cmr. Judith G. Gutierrez, Pct. 2

##### Cmr. Gutierrez's Requests

1. Adjust Commissioner Administrators from Road & Bridge funds (\$40,000), no impact to General Fund. [\$10,000 for each Administrative Assistant (\$8,543 payroll & \$1,457 fringe benefits)]

Cmr. Gutierrez motioned to approve the Commissioner Administrators salaries as shown. Judge Bruni seconded the motion.

Motion carried 4-1 with Cmr. Velasquez voting against.

#### Cmr. Gerardo "Jerry" Vasquez, Pct. 1

##### Cmr. Vasquez's Requests

2. Transfer slot #2122, Custodian, full-time, to Water Utilities

Cmr. Cortez motioned to accept transfer of slot #2122 to Water Utilities. Cmr. Gutierrez seconded the motion.

Cmr. Vasquez stated that his item changed

Cmr. Cortez withdrew his motion.

Cmr. Vasquez motioned to transfer slot #2122 from Water Utilities to the Community Centers. Judge Bruni seconded the motion.

Cmr. Vasquez stated that the slot in question was being funded 50% by Utility Department and 50% by the Community Centers. Mr. Carlos Villarreal, Court Executive Administrator, stated that the slot was funded from Utility Department and the Building Maintenance. He stated that by providing an additional \$9,000 to \$9,500, the slot could be transferred to Building Maintenance to provide an additional person as requested by Mr. Raul Elizondo.

Motion carried 3-2 with Cmr. Velasquez and Cmr. Cortez voting against.

### Judge Louis H. Bruni, Webb County

#### Judge Bruni's Requests

##### 1. Additional Funding for Indigent Health Care

Judge Bruni motioned to increase funding in the amount of \$390,000 for the Indigent Health Care Program. Cmr. Gutierrez seconded the motion.

Motion carried 4-1 with Cmr. Cortez voting against.

Mr. Carlos Villarreal, Court Executive Administrator, stated that there is currently \$7 million budgeted for the state for those county's who spend above the 8% threshold. He stated that by the time the county spends this amount, there would probably be about \$1 million left in that fund. Judge Bruni stated that he has spoken with the Health Commissioner and Senator Judith Zaffirini and has been advised that there would be additional monies available. Cmr. Velasquez brought up the possibility of selling the old detention center property to further fund the IHC.

Cmr. Gutierrez motioned to accept the revenues added and expenditures deleted with the additions that have been voted on. Cmr. Vasquez seconded the motion.

Motion carried 4-1 with Cmr. Cortez voting against.

## Item No. 5

### Adjournment

Cmr. Vasquez motioned to adjourn. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.